



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,560	04/08/2004	Patrick Midoux	410.015-Reissue	8665
47888	7590	07/11/2006	EXAMINER	
HEDMAN & COSTIGAN P.C. 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036			KELLY, ROBERT M	
			ART UNIT	PAPER NUMBER
			1633	
DATE MAILED: 07/11/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES DEPARTMENT OF COMMERCE

## U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
--------------------------------	-------------	---	---------------------

10/820,560

4/8/04

Patrick Midoux

410.015- Reissue

EXAMINER

Kelly, Robert M

ART UNIT

PAPER

1633

20060630

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

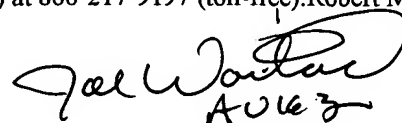
Applicant's submitted amendments yet again fail to comply with 37 CFR 1.173, as the previous 3 versions of the claims were noted not to so-comply (e.g., Official Action of 10/21/06, pp. 2-6 and particularly, the notice of non-compliance of 5/24/06). It is noted again that Applicant's claim 1 again fails to indicate the amended language versus that of the originally-issued claims, i.e., the previously noted terminology of "family of compounds having an imidazole nucleus, pterines, pyridines and" is new subject matter versus that of the originally issued claim 1. The Examiner is beginning to think that Applicant is not reading the responses of the office.

To once again explain, every claim presented must indicate how the claim terminology differs from that of the ORIGINALLY-ISSUED claims, not that of any previous version of claims submitted to the office in any prior response. In other words, the cited limitations must be underlined. It is also noted that several other errors exist, even in claim 1, which would be too numerous to review, however, one such error is that the terminology of previously-issued claim 1 contains the limitation "belong to the" and no such limitation is within the claim in strikethrough format. Applicant is required to indicate the claim amendments with markups which indicate how these claims differ from originally-filed claims. If Applicant fails to understand what is required, they are advised to read the requirements of 37 CFR 1.173 or contact the Examiner for further explanation.

Subsequent non-responsive amendments may be considered non-bone fide attempts.

Because Applicant's amendment does appear to be a bona-fide attempt to amend the claims, APPLICANT IS GIVEN ONE MONTH, OR THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice to supply the correction, if the non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Kelly, Art Unit 1633, whose telephone number is (571) 272-0729. The examiner can normally be reached on M-F, 9:00am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Nguyen can be reached on (571) 272-0731. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Robert M. Kelly, Ph.D. Examiner, USPTO, AU 16332C55 Remsen Building (571) 272-0729

  
AUG 3